

REMARKS

Claims 1, 4,5 and 8 are rejected under 35 USC 102 as anticipated by Kadouchi US 5,675,258 which claim 9 is rejected as obvious over Kadouchi in view of Toya US 6,943,525, claim 10 is rejected over Kadouchi and Swanson US 6,624,533 and Claim 11 is rejected over Kadouchi and Nomura US Application 2003/0155160. Claims 2, 3, 6 and 7 are indicated as containing allowable subject matter if combined in independent form with all limitations of the base claim.

In response to these rejections applicants have made the following amendments and claim additions:

Claims 1,4, 5, 9-11 have been cancelled; Claim 2 contains the allowable subject matter as well as a portion of original claim 1; Claim 3 contains the allowable subject matter as well as a portion of original claim 1; Claim 6 contains the allowable subject matter as well as a portion of original claim 5; Claim 7 contains the allowable subject matter as well as a portion of original claim 5; Claim 8 includes the allowable portion of claim 6 incorporated into the "controller" of original claim 8; Newly added claim 12 results from combining allowable subject matter of claim 7 into the subject matter of claim 8; Newly added claim 13 results from a combination of the above mentioned amended claim 8 and claim 9 subject matter; Newly added claim 14 results from a combination of the above mentioned amended claim 8 and claim 10 subject matter; Newly added claim 15 results from a combination of the above mentioned

amended claim 8 and claim 11 subject matter; Newly added claim 16 results from a combination of the above mentioned claim 12 and claim 9 subject matter; Newly added claim 17 results from a combination of the above mentioned claim 12 and claim 10 subject matter; Newly added claim 18 results from a combination of the above mentioned claim 12 and claim 11 subject matter.

While some limitations of the base claims have not been included in the amended and newly claimed subject matter, each claims contains the indicated allowable subject matter and it is submitted that none of the references of record show or disclose a system or method providing a judgment of abnormality if the discharge voltage is lower by a predetermined value than the predicted discharge voltage on the recovery pattern, or a replacement judgment section which indicates the need for battery replacement if the cumulative current value is smaller than a cumulative current judgment value, as indicated by the Examiner in the Office Action as the allowable subject matter.

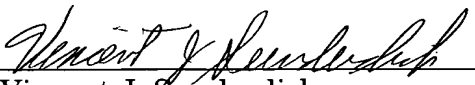
Accordingly, Applicants respectfully request allowance of this application containing claims 2,3, 6-8, and 12-18.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #056208.53297US).

Respectfully submitted,

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